

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, ERIN
WALKER, and WILLIAM SMITH, as
individuals and on behalf of all others
similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.


No. C 07-05923 WHA

**ORDER GRANTING MOTION
FOR STAY OF EXECUTION OF
MONEY JUDGMENT PENDING
APPEAL WITHOUT THE
POSTING OF A SUPERSEDEAS
BOND**

In this certified consumer class action, final judgment was entered on August 5. An accompanying order set a briefing schedule on Wells Fargo's motion to stay the monetary judgment and noted that Wells Fargo would be permitted to rely on a prior showing that a supersedeas bond was not required (Dkt. No. 593 at 4–5). Wells Fargo then moved for a stay of the monetary judgment without the posting of a bond and took the additional step of providing updated evidence of financial solvency (Dkt. Nos. 595–96). Plaintiffs oppose the motion on the grounds that “financial failures of large banks have occurred in the recent past” and could happen again. Plaintiffs’ fears of financial collapse, however, are speculative and unsupported by evidence. The motion for a stay without bond is therefore **GRANTED**.

IT IS SO ORDERED.

Dated: August 15, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE